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AN

ACT

More Effectually to Enable the Clergy, having Cure of Souls, to Reſide upon their reſpective Benefices, and to Build upon their reſpective Glebe Lands.

DUBLIN:

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WHEREAS by an Act made in the First Year of the Reign of his Preſent Majeſty King George the Second, Intitled, An Act for rendering more Effectual an Act, Intitled, An Act for the better Enabling the Clergy, having Cure of Souls, to Reſide upon their reſpective Benefices,

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and for the Encouragement of Protestant Schools within this Kingdom of *Ireland*; **It is Enacted, That every Rector, Vicar, Curate, or other Ecclesiastical Person, who shall, from and after the Commencement of the said Act, be admitted into any Ecclesiastical Benefice, of the Yearly Value of One Hundred and Fifty Pounds, or upwards, having no House fit for the Residence of the Incumbent thereof, and being Endowed with Glebe Lands lying near his Parish Church, and being fit and convenient for Building, shall, within a certain Time to be Limited and Appointed by the Arch-Bishop or Bishop of the Diocese, after he has been Two Years in Possession of such Benefice, Build and Improve upon such Glebe Land, in such Manner as in the said recited Act is mentioned: And some Doubts having arisen on the said Act, and the Residence of the Clergy being a Duty incumbent upon them, and highly Necessary to the Advancement of true Religion, and to the Furtherance of the Conversion of the Papists of this Kingdom; Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this Present Parliament Assembled, and by the Authority of the same, that all Persons who are already possessed of, or shall hereafter accept of any Deanry, Arch-Deaconry,**

Deaconry, Dignity, Prebend, or of One or more Rectories having no Vicarage Endowed, Vicarages Perpetual, Curacies, or other Ecclesiastical Preferments, with Cure of Souls belonging thereto, which either singly or jointly, or together, with what he at this Time hath, or at the Time of the Acceptance thereof, shall Enjoy in the same Diocese, shall make up the Sum of One Hundred Pounds Sterling, per Annum, every such Dean, Arch-Deacon, Dignitary, Prebendary, Rector, Vicar, Curate, or other Ecclesiastical Person, having Cure of Souls, after he hath been Three Years in Possession thereof, to be computed from the Time of the Commencement of this Act, or from the Time of his Admission, and having no House thereon, fit and convenient for his Residence, and any One of such Benefices, being Endowed with such Portion of Glebe Land as the Arch-Bishop or Bishop of the Diocese shall judge fit and convenient for Building thereon, shall, within a Time certain to be Limited and Appointed by the Arch-Bishop or Bishop of the Diocese, build and improve on such Glebe Land, in such Manner, with such Consent, under such Rules and Limitations, and with such Benefits and Advantages, and be intitled to such Proportion of the Money laid out in Building and Improving on such Glebe Land, as

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by the said recited Act is mentioned and expressed.

And be it further Enacted by the Authority aforesaid, That every Archbishop, and Bishop, shall have the like Power and Authority to Oblige the said before mentioned Persons to build and improve upon their respective Glebe Lands, as in and by the said recited Act is given and granted to the said Archbishops and Bishops, in respect of the Persons therein mentioned, in as full and ample Manner, as if the Person, herein described, had been mentioned in the said recited Act.

Provided, That no such Dignitary, or other Incumbent, shall be obliged, by this Act, to build a House upon the Glebe belonging to any Benefice, the Value of which shall not, communibus annis, amount to the Sum of Fifty Pounds to such Incumbent, unless such Incumbent shall previously obtain from the Trustees of the First-Fruits, a Grant of a Sum, not less than Fifty Pounds, to enable him the better to carry on the Building of such House, which Sum so granted, the Trustees of the First-Fruits shall be enabled to give before the House is begun to be built, and in such Manner, as they shall think proper.

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And whereas many Parishes in this Kingdom continue without Glebe of any Kind, and many more have Glebes so small and inconsiderable, as to be in no Sort convenient for Building on them, or any of them, notwithstanding the several Acts, from Time to Time, passed in this Kingdom, and now in Force, Enabling the Persons in the said Acts, respectively named, to Endow Churches with Glebes; and it is apprehended, that one great Reason why so few Endowments have been made, in Consequence of the said Acts, or any of them, has been, That the Powers in each and every of the said Acts, extend only to Grants in Fee Simple, or in Fee Farm; Be it therefore Enacted by the Authority aforesaid, That it shall and may be Lawful for all and every Person and Persons whatsoever, who are or shall be Seized of an Estate in Fee, or of an Estate Tail in Possession, or of an Estate for Life, with a Remainder over to his, her, or their own Issue, in any Lands, by his, her, or their Deed or Deeds, duly executed under his, her, or their Hand and Seal, to Grant and Demise such Lands, or Part of them, as a Glebe for the Incumbent or Minister of any Parish, having actual Cure of Souls, for one or more Life or Lives Renewable for ever, Reserving such

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Rent or Rents out of such Lands, and in the same Manner, and under such Restrictions, as to the Number of Acres, and every other Condition, as each and every of the said Persons Seized of such respective Estates in such Lands, could or might by the said Acts now in Force, or any of them, have granted such Lands respectively, in Fee Simple, or Fee Farm.

And whereas by several Acts passed in the Reign of her Late Majesty Queen Anne, His Late Majesty King George the First, and His present Majesty, all now of Force in this Kingdom, Power is given to Archbishops, Bishops, Deans, Deans and Chapters, Dignitaries, or Prebendaries, having Land belonging to them as such respectively, near any Church, and convenient for a Glebe to it, to grant such Land, or part thereof, as a Glebe to the Incumbent of such Church, or in Trust, for any Resident Curate, Officiating in any Appropriate or Impropriate Benefice, and his or their Successors, with such Consent, and under such Rules and Limitations, as are in the said Acts respectively Mentioned.

And whereas the said Archbishops, Bishops, Deans, Deans and Chapters, Dignitaries, or Prebendaries, or some of them, though not

not Poſſeſſed as ſuch, of Lands near any Church, and convenient for a Glebe, may yet be, and are Poſſeſſed of Lands at a Diſtance, which being Granted for Glebe, may afterwards be Exchanged for other Lands which may be near and convenient, purſuant to an Act, paſſed in the Second Year of Her late Majeſty Queen Anne, Intitled, An Act for Exchange of Glebes; which Act, being Temporary, has been by ſubſequent Acts, Continued, and is now of Force in this Kingdom: CHAP. XL

And whereas a Doubt has ariſen, whether the ſaid Archbiſhops, Biſhops, Deans, Deans and Chapters, Dignitaries, or Prebendaries, or any of them, can Grant ſuch Lands for Glebes, on Account of their Diſtance, and not lying conveniently for the Reſidence of any Incumbent, or Curate of any Appropriate or Impropriate Benefice;

For the Clearing of the ſaid Doubt, and to the Intent that the ſeveral Perſons herein before Named, and their Succeſſors, Poſſeſſed of the higher Stations in the Church, and of the Advantages and Profits annexed to them, may have fuller and more extenſive Powers to Provide Glebes in ſuch Pariſhes in which they are much wanting, and thereby to Promote the Reſidence of the Clergy, which, by the Bleſ-

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sing of God, may be a Means to Extend the Protestant Religion, and facilitate the Conversion of the Papists in this Kingdom; Be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for every Archbishop, Bishop, Dean, Dean and Chapter, Dignitary, or Prebendary, to Grant any Land to their Archbishoprick, Bishoprick, Deanry, Capitular Body, Dignity, or Prebend belonging, for a Glebe to any Parish, at whatsoever Distance it may lie from the same, with such Consents, and under such Restrictions, as in the said Acts respectively are mentioned, to the Intent, that such Land so granted, may be afterwards Exchanged for other Lands lying near the Church, and more convenient for the Residence of an Incumbent or Curate, as aforesaid.

Provided allways, That all and every Grant so made of Lands, at a Distance, for Glebe, shall be absolutely Null and Void to all Intents and Purposes whatsoever, unless an Exchange for other Lands lying nearer and more convenient, be made and perfected pursuant to the said Acts, within the Space of Two Years after the making such Grant.

And be it further Enacted by the Authority aforesaid, That all Lands Granted or Demised

Demiſed, for Lives Renewable for ever, or exchanged in Manner herein before mentioned, ſhall from thenceforth be adjudged to be Glebe or Demeſne Lands, belonging to each Pariſh reſpectively, and ſhall be ſubject to, and regulated by all Clauſes and Limitations, in all Laws made for the Endowing of Churches with Glebes, and for the Encouraging the Building of Houſes, and making other Improvements on Church Lands, and to Prevent Dilapidations, and for the better enabling the Clergy, having Cure of Souls, to Reſide on their reſpective Benefices. CHAP. XI.

And whereas many Benefices, with Cure of Souls, within this Kingdom, are of ſo ſmall yearly Value, that for the Support of a Reſident Miniſter for the Cure and Service of the ſame, many Unions have been, and may hereafter be made by Act of Council, or otherwiſe, of Two or more ſuch Benefices, and within many ſuch Unions, there now remaineth, or may remain, but One Church only, wherein Divine Service is uſually Celebrated, or not a Church to each and every Benefice within the ſame; Be it Enacted by the Authority aforeſaid, That from the Twenty fourth Day of June next, it ſhall and may be lawful for every Clerk, Collated, Inſtituted, and Inducted to Two or

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more Benefices so United, to perform all Things requisite for further Qualifying or Intitling himself, in full Right, to all and every Benefice within such Union in such Church or Churches as are remaining within the same, wherein Divine Service is usually Celebrated; and that his having performed all such Requisites in such Church or Churches then remaining, shall be as Good and Effectual, to all Intents and Purposes, for Qualifying and Intitling, in full Right, such Clerk to all and every Benefice within such Union, as if the same had been performed in each and every Church, or in each and every Site, or Ruins of a Church, within the same.

Provided allways, That nothing in this Act shall be Construed to Intitle, Qualify, or Restore any Clerk, who by Non-performance of all or any such Requisites, hath already incurred the Penalties, Forfeitures, or Avoidances of any former Acts.

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